

### **REMARKS**

In response to the Final Office Action mailed September 18, 2007, Applicant respectfully requests reconsideration. Claims 12-24 were previously pending in this application. By this amendment, claims 17, 18 and 20-24 drawn to a non-elected invention, are being canceled without prejudice or disclaimer. Claim 12, the only independent claim, is being amended and dependent claims 25-27 are being added. No new matter has been added.

### **Election/Restriction**

The Applicants thank the Examiner for rejoining claims 16 and 19.

In the Office Action, the Examiner has withdrawn claims 20-24 as being drawn to a non-elected invention. By this amendment, claims 20-24 are being canceled without prejudice or disclaimer.

### **Specification**

The Examiner indicated that the prior amendment to the Abstract is not in compliance with 37 CFR 1.52(b)(4) because the Abstract was not submitted on a separate page.

By this Amendment, the Applicants are resubmitting the Abstract showing the prior and additional amendments. The amended Abstract is being submitted on a separate sheet in this amendment and is now believed to conform with 37 CFR 1.52(b)(4).

### **Claim Rejection under 35 U.S.C. §103(a)**

Claims 12-13 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Segal in view of Ham or Khosravi. Claims 12-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Makower in view of Ham or Khosravi. Claims 16 and 19 stand rejected

under 35 U.S.C. §103(a) as being unpatentable over Makower in view of Ham or Khosravi; or Segal in view of Ham or Khosravi as applied to claim 12 and further in view of Higgins.

Without acceding to the propriety of the rejection, Claim 12 has been amended to recite, *inter alia*, that “the distal end of the shaft is rotated through an angular displacement” in response to a compressive load. As shown in Figure 1 of the present application, upon applying a compressive load (e.g., by pulling on the wire 36), the distal end 12 of the catheter is rotated. Support for this amendment can be found, for example, on page 7, line 26 through page 8, line 9 of the application, which states:

“Another control feature of the superstructure positioning system is the angular displacement of the distal tip 28 of the catheter 10 corresponding to the extension of vanes 16. Due to the parallel arrangement of the vane 16 and distal end of the catheter 12 at distal connector band 30, a longitudinal axis of the catheter 32 at the distal tip 28 rotates an amount of angular displacement corresponding to the magnitude angular displacement of the vane away from its original unstressed position. As greater tension is applied to the pull wire 36 to cause further buckling of the vane 16, angular displacement of the distal tip 28 of the catheter will continue to increase. Therefore, the angular displacement can be variably controlled by the operators manipulation of the control mechanism or pull wire. This angular displacement control provides a steering mechanism to pinpoint treatment sites on the tissue surface 42 of the body conduit or cavity.”

None of the applied references teach or suggest the distal end of the catheter being rotated through an angular displacement upon application of a compressive load. Accordingly, claim 12, as now amended, is believed to be in condition for allowance.


Claims 13-16, 19 and 25-27 depend directly or indirectly from claim 12 and are believed to be allowable for at least the same reasons that claim 12 is believed to be allowable.

**CONCLUSION**

As such, the claims are now believed to be in condition for allowance and a Notice of Allowance is respectfully requested. If the Examiner believes that minor clarifying amendments to the claim would be helpful, the Examiner is requested to call the undersigned at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, any necessary extension of time is hereby requested. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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